



500

PCT
525 Rec'd PCT/PTO 03 JUL 2002 #8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

C nfirmation No. 7814

Koji YANAI et al.

Docket No. 2002-0451A

Serial No. 10/089,514

Group Art Unit Not Yet Assigned

Filed March 29, 2002

Examiner Not Yet Assigned

TRANSFORMANTS PRODUCING
SECONDARY METABOLITES MODIFIED
WITH FUNCTIONAL GROUPS, AND
NOVEL BIOSYNTHESIS GENES

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

RESPONSE

Assistant Commissioner for Patents,
Washington, D.C. 20231

Sir:

Responsive to the Notice dated June 26, 2002, there is submitted herewith, a computer readable copy of the Sequence Listing for the above-identified application which has been prepared in accordance with the sequence rules under 37 CFR 1.821-1.825. The Sequence Listing contains the identical sequences appearing in the original application papers. Thus, no new matter has been added.

A paper copy of the Sequence Listing was previously submitted with our Preliminary Amendment filed April 30, 2002. The content of the paper and computer readable copies are the same.

Applicants also wish to note that a computer readable version of the Sequence Listing was also submitted with the April 30, 2002 filing which Applicants believe was misplaced by the Patent Office. The diskette submitted herewith is identical to the diskette previously submitted.

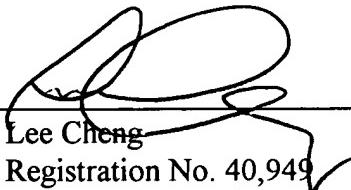
A copy of the Notice is also attached as required. A copy of the postcard attached to the April 30, 2002 filing is also attached showing that a paper and computer readable copy of the Sequence Listing were submitted on April 30, 2002.

In view of the foregoing, it is believed that each requirement set forth in the Notice has been satisfied, and that the application is now in compliance with the sequence rules under 37 CFR 1.821-1.825. Accordingly, favorable examination on the merits is respectfully requested.

Respectfully submitted,

Koji YANAI et al.

By:


Lee Cheng
Registration No. 40,949
Attorney for Applicants

LC/gtg
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
July 3, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/089,514 | Koji Yanai | 2002_0451A |

| INTERNATIONAL APPLICATION NO. | |
|-------------------------------|--|
| PCT/JP00/06783 | |

000513
 WENDEROTH, LIND & PONACK, L.L.P.
 2033 K STREET N. W.
 SUITE 800
 WASHINGTON, DC 20006-1021

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 09/29/2000 | 09/29/1999 |

CONFIRMATION NO. 7814
371 FORMALITIES LETTER



OC00000008331440

Date Mailed: 06/26/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- o U.S. Basic National Fees
- o Priority Document
- o Assignee Statement
- o Biochemical Sequence Listing
- o Copy of IPE Report
- o Copy of references cited in ISR
- o Copy of the International Application
- o Copy of the International Search Report
- o Information Disclosure Statements
- o Oath or Declaration

RECEIVED

JUL 1 2002

WENDEROTH, LIND & PONACK

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- o The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:**
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/089,514 | PCT/JP00/06783 | 2002_0451A |

FORM PCT/DO/EO/905 (371 Formalities Notice)